

Graham	Merkley	Shaheen
Grassley	Murkowski	Sinema
Hassan	Murphy	Smith
Heinrich	Murray	Stabenow
Hickenlooper	Ossoff	Tester
Hirono	Padilla	Tillis
Kaine	Peters	Van Hollen
Kelly	Reed	Warner
King	Romney	Warnock
Klobuchar	Rosen	Warren
Lujan	Rounds	Welch
Manchin	Sanders	Whitehouse
Markey	Schatz	Wyden
Menendez	Schumer	

## NAYS—40

Barrasso	Hagerty	Ricketts
Blackburn	Hawley	Risch
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Schmitt
Britt	Johnson	Scott (FL)
Budd	Kennedy	Scott (SC)
Cassidy	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tuberville
Crapo	Marshall	Vance
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Mullin	
Fischer	Paul	

## NOT VOTING—1

Casey

The nomination was confirmed.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 12, Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico.

Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Brian Schatz, Edward J. Markey, Benjamin L. Cardin, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 14 Ex.]

## YEAS—54

Baldwin	Cardin	Duckworth
Bennet	Carper	Durbin
Blumenthal	Collins	Feinstein
Booker	Coons	Fetterman
Brown	Cornyn	Gillibrand
Cantwell	Cortez Masto	Graham

Hassan	Merkley	Shaheen
Heinrich	Murkowski	Sinema
Hickenlooper	Murphy	Smith
Hirono	Murray	Stabenow
Kaine	Ossoff	Tester
Kelly	Padilla	Van Hollen
King	Peters	Warner
Klobuchar	Reed	Warnock
Lujan	Rosen	Warren
Manchin	Sanders	Welch
Markey	Schatz	Whitehouse
Menendez	Schumer	Wyden

## NAYS—45

Barrasso	Grassley	Ricketts
Blackburn	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Britt	Hyde-Smith	Rubio
Budd	Johnson	Schmitt
Capito	Kennedy	Scott (FL)
Cassidy	Lankford	Scott (SC)
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tillis
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

## NOT VOTING—1

Casey

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 54, the nays are 45.

The motion is agreed to.

Under the previous order, with respect to the Jenkins nomination, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Garcia nomination.

The legislative clerk read the nomination of Matthew L. Garcia, of New Mexico, to be United States District Judge for the District of New Mexico.

The PRESIDING OFFICER. The Senator from Oregon.

## UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MERKLEY. Mr. President, I ask unanimous consent that at 4:30 p.m. today, all postcloture time with respect to the Garcia nomination be considered expired and the Senate vote on confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

## TRIBUTE TO ELVIA MONTOYA

Mr. MERKLEY. Mr. President, I come to the floor today to recognize and bid farewell to a valued member of my team, our legislative director, Elvia Montoya.

Five years ago, our office had the fortune of bringing Elvia onboard as a legislative correspondent—or LC—working on issues of education, equal rights, and healthcare. These are incredibly important issues. And she did such an incredible job working on them that it wasn't long at all before she was promoted to handle them as our legislative assistant.

And time and time again, year after year, no matter what new task she took on or what challenge was thrown at her, she succeeded and thrived.

Every Oregonian, every American, across this Nation is better off today, thanks to her tireless efforts.

Seventy-two thousand children in our State, for instance, who normally get free or reduced-priced lunches during the school year continue to get healthy and nutritious meals during the summer months. They have Elvia to thank for that because she is the one who included language in the fiscal year 2020 Further Consolidated Appropriations Act to reinstate the program.

Thousands of nurses are on the job today saving lives because we invested in the training and workforce development that are key to the future of this critical profession through the Nursing Workforce Reauthorization Act of 2019. And Elvia wrote that bill and helped get it passed as part of the CARES Act; and thank goodness she did, or the nursing shortage today would be much worse than it is.

And Elvia was always three steps ahead in the lead-up to the COVID-19 pandemic. In January of 2020, over 2 months before life as we knew shut down and people were only vaguely aware of a new virus coming out of China, she saw right away that this had the potential to upend life around the Globe.

By the end of that month, she had persuaded me to lead a letter calling on the World Health Organization to declare a public health emergency of international concern.

By the end of February, our office had a resource page for Oregonians who were starting to hear about this new, dangerous virus and were growing nervous. This was phenomenal timing because Oregon had its first confirmed case on Friday, February 28, 2020. The announcement came well after working hours.

But even late on a Friday evening, she was on the ball, alerting me and other senior staff and starting to prepare for the long battle ahead as she led our team in that battle for the next year-plus.

She kept tabs on the virus, day in and day out, leading briefings for our team and providing daily updates on the spread and impact of the virus. And she led my team's efforts to help enact the COVID relief bills as we took up and passed them here on the Senate floor—from the Coronavirus Preparedness and Response Supplemental Appropriations Act to the Families First Coronavirus Response Act; the CARES Act to the Paycheck Protection Program and Healthcare Enforcement Act.

And she wasn't just invested in policy. She was also invested in the logistical challenges we faced under COVID. One night, when a truck was supposed to be delivering supplies of personal protective equipment—or PPE, as we call it—delivering it from the national stockpile to the main resource warehouse in Oregon, from where it would be distributed to hospitals and clinics and other places the following morning, things went awry.